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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,233	11/29/2000	Christine Miyachi	XER-20374D/A0600	9612
<div>7590      02/22/2008</div> <div>Albert P. Sharpe III Esq Fay Sharpe Fagan Minnich &amp; McKee LLP 7th Floor 1100 Superior Avenue Cleveland, OH 44114-2518</div>				
			EXAMINER WORKU, NEGUSSIE	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 02/22/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/726,233

**Applicant(s)**

MIYACHI ET AL.

**Examiner**

NEGUSSIE WORKU

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1-7 are have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Sabbagh et al. (USP 6,814,510).

With respect to claim 1, Sabbagh '510' teaches a partial print provider (print provider 332 of fig 3) that permits a first print spooler (spooler 324 of fig 3) associated with a network print server (server system 340 of fig 3) to interface with a second print spooler (spooler 326 of fig 3) associated with a print server (server system 340 of fig 3) associated with the network print server (340 of fig 3) for further processing of a print job submitted to a the network print server (34 of fig 3) from a network print client (client system 304 of fig 3, col.3, lines 40-65+).

With respect to claim 2, Sabbagh '510' teaches a partial print provider, (332 of fig 3) wherein the network print server (server system 340 of fig 3) is operating Windows NT software and the second print spooler (326 of fig 3) is a Windows NT print spooler, (client system 304 of fig 3, col.3, lines 40-65+).

With respect to claim 3, Sabbagh '510' teaches a partial print provider (332 of fig 3) wherein the interface between the NT print spooler and the first spooler the first spooler 324 of fig 3) to leverage off on Microsoft's print services, protocols and network technologies, (client system 304 of fig 3, col.3, lines 40-65+).

With respect to claim 4, Sabbagh '510' teaches a partial print, wherein the partial print provider (332 of fig 3) is a dynamically linked Library file (provider DLL 332 of fig 3).

With respect to claim 5, Sabbagh '510' teaches a partial print provider (332 of fig 3) wherein all print jobs received by the second spooler (324 of fig 3) is forwarded to the first spooler (326 of fig 3).

With respect to claim 6, Sabbagh '510' teaches a partial print provider, wherein the partial print provider can be modified to establish an interface between the print spooler, (client system 304 of fig 3, col.3, lines 35-60+).

With respect to claim 7, Sabbagh '510' teaches a partial print provider (332 of fig 3) wherein the network print server is configured to be used with a xerographic print, (client system 304 of fig 3, col.3, lines 30-65+).

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEGUSSIE WORKU whose telephone number is (571)272-7472. The examiner can normally be reached on 9am-6pm.

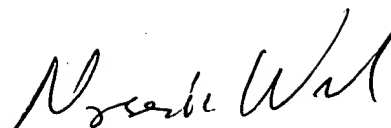
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on 571-272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read "Negussie Worku". The signature is written in a cursive style with a large initial 'N' and a long, sweeping underline.

Negussie Worku  
Examiner  
Art Unit 2625